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## FACSIMILE TRANSMITTAL SHEET

TO: Mail Stop Missing Parts

FROM: Guy Tucker

COMPANY: U.S. PTO

PHONE NUMBER: (650) 620-5501

FAX NUMBER: 703-872-9306

FAX NUMBER: (650) 631-3125

PHONE NUMBER:

DATE: April 5, 2004

RE: U.S. Serial No. 10/734,076

NO. OF PAGES: 12

(INCLUDING COVER)

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

## NOTICE OF CONFIDENTIALITY

This transmission is intended only for the use of the Addressee and may contain information that is:  
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Practitioner's Docket No. 0130.00

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carlos A. Schuler, William Alston

Application No.: 10/734,076

Filed: December 10, 2003

For: Metered Dose Inhaler with Lockout

Group No.: Unassigned

Examiner: Unassigned

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Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450COMPLETION OF FILING REQUIREMENTS  
—NONPROVISIONAL APPLICATION

- I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed March 19, 2004.
- A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

## DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

G as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

X facsimile transmitted to the Patent and Trademark Office, (703) 872-9806

Date: 4/5/04

Signature

Kathy Honner  
(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Completion of Filing Requirements—Nonprovisional Application—page 1 of 2

**COMPLETION FEES****III.**

- |    |                                                                                                       |            |
|----|-------------------------------------------------------------------------------------------------------|------------|
| 1. | Filing Fee<br>Original patent application                                                             | \$770.00   |
| 2. | Fees for Claims<br>Each independent claim in excess of 3                                              | \$344.00   |
|    | Each claim in excess of 20                                                                            | \$180.00   |
| 3. | Surcharge Fees<br>Late payment of filing fee<br>and/or late filing of original<br>declaration or oath | \$130.00   |
|    | Total Completion Fees                                                                                 | \$1,424.00 |

**EXTENSION OF TIME**

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

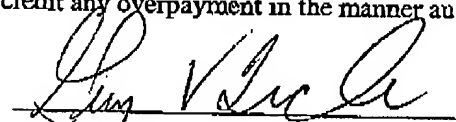
**TOTAL FEE DUE**

V. The total fee due is:

Completion fees	\$1,424.00
Extension fee (if any)	\$0.00
Total Fee Due	\$1,424.00

**PAYMENT OF FEES**

VI. Authorization is hereby made to charge the amount of \$1,424.00 to Deposit Account No. 500348. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.



Guy V. Tucker  
Nektar Therapeutics  
150 Industrial Road  
San Carlos, CA 94070

Completion of Filing Requirements—Nonprovisional Application—page 2 of 2



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22315-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,076	12/10/2003	Carlos E. Schuler	0130.00

21968  
NEKTAR THERAPEUTICS  
150 INDUSTRIAL ROAD  
SAN CARLOS, CA 94070

CONFIRMATION NO. 7962

## FORMALITIES LETTER



\*OC000000012144251\*

Date Mailed: 03/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$524 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1424 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$524
  - \$344 for 4 independent claims over 3.
  - \$180 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

T. TU  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE